

UNOFFICIAL VERSION

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WEDNESDAY, FEBRUARY 13, 2019

NINTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Pastor David Evans of the Tennessee Baptist Mission Board in Franklin, Tennessee, a guest of Senator Johnson.

PLEDGE OF ALLEGIANCE

Senator Johnson led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Johnson led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kurita, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Robinson, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--31.

COMMUNICATION

February 13, 2019

Lt. Governor McNally:

I will not be in attendance for the scheduled Session this morning and assigned committee meetings (February 13, 2019).

Regards,

/s/ Sara Kyle

APPROVED: Lieutenant Governor
Randy McNally

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Joint Resolution No. 58 with amendment.

WATSON, Chairperson
February 12, 2019

WEDNESDAY, FEBRUARY 13, 2019 – 9TH LEGISLATIVE DAY

The Speaker announced that he had referred Senate Joint Resolution No. 58 with amendment to the Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 21, 48, 56, 68, 73, 233, 241, 278 and 320; and Senate Joint Resolutions Nos. 83, 88 and 96.

DICKERSON, Chairperson
February 12, 2019

The Speaker announced that he had referred Senate Bills Nos. 21, 48, 56, 68, 73, 233, 241, 278 and 320; and Senate Joint Resolutions Nos. 83, 88 and 96 to the Committee on Calendar.

COMMERCE AND LABOR

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 51 with amendment and 458.

BAILEY, Chairperson
February 12, 2019

The Speaker announced that he had referred Senate Bills Nos. 51 with amendment and 458 to the Committee on Calendar.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 80, 207, 208 with amendments, 349 and 381; also, recommend that Senate Bill No. 10 be referred to Committee on Finance, Ways and Means.

BELL, Chairperson
February 12, 2019

The Speaker announced that he had referred Senate Bills Nos. 80, 207, 208 with amendments, 349 and 381 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 10 to Committee on Finance, Ways and Means.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 186 through 188 and 190 through 194**; and **Senate Resolution No. 11** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

WEDNESDAY, FEBRUARY 13, 2019 – 9TH LEGISLATIVE DAY

Senate Joint Resolution No. 186 by Senator Lundberg.
Memorials, Recognition -- Claudia H. Byrd.

Senate Joint Resolution No. 187 by Senator Johnson.
Memorials, Recognition -- Dr. Bill Toungette.

Senate Joint Resolution No. 188 by Senator Johnson.
Memorials, Recognition -- Lindsey Anderson.

Senate Joint Resolution No. 190 by Senator Akbari.
Memorials, Death -- Marvin Ballin.

Senate Joint Resolution No. 191 by Senator Southerland.
Memorials, Death -- John T. Milburn Rogers.

Senate Joint Resolution No. 192 by Senator Yager.
Memorials, Congress -- Expresses support for the enactment of legislation that requires all board committee meetings of the Tennessee Valley Authority Board of Directors to be open to the public.

Senate Joint Resolution No. 193 by Senator Massey.
General Assembly, Confirmation of Appointment -- Lynne "Michelle" Bowman, State Textbook and Instructional Materials Quality Commission.

Senate Joint Resolution No. 194 by Senators Swann and Southerland.
General Assembly, Confirmation of Appointment -- Jack A. Parton, State Textbook and Instructional Materials Quality Commission.

Senate Resolution No. 11 by Senator Gilmore.
Memorials, Recognition -- Rho Psi Affinity Alumni Chapter of the Omega Psi Phi Fraternity.

MOTION

Senator Johnson moved, pursuant to Rule 21, **House Joint Resolutions Nos. 153 through 165** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 153 -- Memorials, Public Service -- Gerald McCormick.

The Speaker announced that he had referred House Joint Resolution No. 153 to the Committee on Calendar.

House Joint Resolution No. 154 -- Memorials, Sports -- Jordan Vick, Camden Central High School volleyball.

The Speaker announced that he had referred House Joint Resolution No. 154 to the Committee on Calendar.

WEDNESDAY, FEBRUARY 13, 2019 – 9TH LEGISLATIVE DAY

House Joint Resolution No. 155 -- Memorials, Sports -- Eden Pafford, Camden Central High School volleyball.

The Speaker announced that he had referred House Joint Resolution No. 155 to the Committee on Calendar.

House Joint Resolution No. 156 -- Memorials, Sports -- Sarah Bradford, Camden Central High School volleyball.

The Speaker announced that he had referred House Joint Resolution No. 156 to the Committee on Calendar.

House Joint Resolution No. 157 -- Memorials, Sports -- Brianna Minor, Camden Central High School volleyball.

The Speaker announced that he had referred House Joint Resolution No. 157 to the Committee on Calendar.

House Joint Resolution No. 158 -- Memorials, Sports -- Briley Hardin, Camden Central High School volleyball.

The Speaker announced that he had referred House Joint Resolution No. 158 to the Committee on Calendar.

House Joint Resolution No. 159 -- Memorials, Sports -- Isabella Pafford, Camden Central High School volleyball.

The Speaker announced that he had referred House Joint Resolution No. 159 to the Committee on Calendar.

House Joint Resolution No. 160 -- Memorials, Recognition -- Kathy Weatherly, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 160 to the Committee on Calendar.

House Joint Resolution No. 161 -- Memorials, Recognition -- Ryan Baker, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 161 to the Committee on Calendar.

House Joint Resolution No. 162 -- Memorials, Recognition -- Susan Stewart, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 162 to the Committee on Calendar.

House Joint Resolution No. 163 -- Memorials, Recognition -- Keith Weatherly, Governor's Volunteer Stars Award.

WEDNESDAY, FEBRUARY 13, 2019 – 9TH LEGISLATIVE DAY

The Speaker announced that he had referred House Joint Resolution No. 163 to the Committee on Calendar.

House Joint Resolution No. 164 -- Memorials, Recognition -- Shelby Nolin, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 164 to the Committee on Calendar.

House Joint Resolution No. 165 -- Memorials, Recognition -- Jim Long, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 165 to the Committee on Calendar.

CONSENT CALENDAR

Senate Joint Resolution No. 152 -- Memorials, Public Service -- John Partin.

Senate Joint Resolution No. 153 -- Memorials, Recognition -- Alexandra M. "Alex" Richman, 2018 Tennessee Tree Farmer of the Year.

Senate Joint Resolution No. 155 -- Memorials, Recognition -- AIM Center, 30th Anniversary.

Senate Joint Resolution No. 156 -- Memorials, Professional Achievement -- Deborah V. Loveless, 2018 Outstanding CPA in Government Career Contribution Award.

Senate Joint Resolution No. 157 -- Memorials, Recognition -- James R. Arnett, Jr.

Senate Joint Resolution No. 158 -- Memorials, Death -- Louise Ellis Clifton.

House Joint Resolution No. 108 -- Memorials, Recognition -- Victims of Agent Orange during Vietnam War.

Senator Jackson moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kurita, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Robinson, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 1 -- Constitutional Amendments -- Proposes amendment to Article VI, Section 5 to provide for the selection of the attorney general and reporter for the state with nomination by the supreme court and confirmation by the general assembly.

Senator Yager moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution, for the second time.

Thereupon, Mr. Speaker McNally declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 1** had been read, for the second time.

Senator Yager moved that **Senate Joint Resolution No. 1** be placed on the Calendar for Thursday, February 21, 2019, which motion prevailed.

Senate Bill No. 95 -- Handgun Permits -- As introduced, requires the department of safety to issue a handgun carry permit containing zeros in place of an expiration date upon request by a permit holder or applicant who is in the military and stationed outside this state. Amends TCA Section 39-17-1351.

Senator Bell moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351(o), is amended by designating the existing language as subdivision (o)(1) and adding the following as a new subdivision (o)(2):

(2) The following language must be printed on the back of the card: This permit is valid beyond the expiration date if the permit holder can provide documentation of the holder's active military status and duty station outside Tennessee.

SECTION 2. This act shall take effect thirty (30) days after the date upon which the commissioner of safety provides written notification to the secretary of state and the executive secretary of the Tennessee code commission that the department of safety's "A-list" driver license program is capable of implementing this act, or it shall take effect on January 1, 2020, whichever is earlier, the public welfare requiring it. The commissioner shall cause such notification to be published on the website of the department contemporaneously with delivery to the secretary of state and executive secretary of the Tennessee code commission.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 95**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

WEDNESDAY, FEBRUARY 13, 2019 – 9TH LEGISLATIVE DAY

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kurita, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Robinson, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 154 -- Sunset Laws -- As introduced, extends the Sam Davis memorial association, board of trustees to June 30, 2023. Amends TCA Title 4, Chapter 13, Part 3 and Title 4, Chapter 29.

Senate Bill No. 154 passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kurita, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Robinson, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Senator Kurita, **Senate Bill No. 81** was recalled from the Committee on State and Local Government.

WITHDRAWAL OF BILL

On motion of Senator Kurita, Senate Bill No. 81 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Briggs, **Senate Bill No. 31** was recalled from the Committee on Judiciary.

WITHDRAWAL OF BILL

On motion of Senator Briggs, Senate Bill No. 31 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Briggs, **Senate Bill No. 203** was recalled from the Committee on Energy, Agriculture and Natural Resources.

WITHDRAWAL OF BILL

On motion of Senator Briggs, Senate Bill No. 203 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Niceley, **Senate Bill No. 1217** was recalled from the Committee on Judiciary.

WITHDRAWAL OF BILL

On motion of Senator Niceley, Senate Bill No. 1217 was withdrawn from the Senate.

RECALL OF BILLS

On motion of Mr. Speaker McNally, **Senate Bills Nos. 231 and 682** were recalled from the Committee on Judiciary.

REFERRAL OF BILLS

Mr. Speaker McNally moved that Senate Bills Nos. 231 and 682 be referred to the Committee on Commerce and Labor, which motion prevailed.

MOTION

On motion of Senator Southerland, his name was added as sponsor of **Senate Bills Nos. 13, 242, 457, 852 and 1214; and House Joint Resolution No. 139.**

On motion of Senator Robinson, her name was added as sponsor of **Senate Bill No. 461.**

On motion of Senator Crowe, his name was added as sponsor of **Senate Bill No. 476.**

On motion of Senators Haile, Roberts, Stevens, Hensley, Briggs, Gardenhire, Gilmore, Johnson, Kelsey, Yager, Yarbro, Akbari, Bailey, Bowling, Crowe, Dickerson, Gresham, Jackson, Kurita, Lundberg, Massey, Niceley, Pody, Reeves, Robinson, Southerland, Swann, White and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 156.**

On motion of Senators Stevens, Hensley, Briggs, Gardenhire, Gilmore, Haile, Johnson, Kelsey, Yager, Yarbro, Akbari, Bailey, Bell, Bowling, Crowe, Dickerson, Gresham, Jackson, Kurita, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Robinson, Southerland, Swann, White and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 157.**

On motion of Senators Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kurita, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson, White, Yager and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 158.**

On motion of Senators Swann and Southerland, their names were added as sponsors of **Senate Joint Resolution No. 164.**

On motion of Senators Bowling, Kurita and Roberts, their names were added as sponsors of **House Joint Resolution No. 108.**

On motion of Senators White and Reeves, their names were added as sponsors of **House Joint Resolution No. 117.**

WEDNESDAY, FEBRUARY 13, 2019 – 9TH LEGISLATIVE DAY

ENGROSSED BILLS

February 13, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 95 and 154; Senate Joint Resolutions Nos. 152, 153, 155, 156, 157 and 158; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON

Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

February 13, 2019

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 121, 122, 124, 125, 126 and 175; with his approval.

LANG WISEMAN,

Deputy and Counsel to the Governor

ADJOURNMENT

Senator Johnson moved the Senate adjourn until 8:45 a.m., Thursday, February 14, 2019, which motion prevailed.